

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:	)	Group Art Unit: 1635
	)	
BECKER <i>et al.</i>	)	Examiner: Lacourciere, K.
	)	
Serial No. 09/523,237	)	Confirmation No. 5771
	)	
Filed: March 10, 2000	)	Atty. Docket No. GP068-03.CN1
	)	
For: KITS FOR AMPLIFYING TARGET	)	<b>VIA FACSIMILE</b>
NUCLEIC ACID SEQUENCES USING	)	
MODIFIED OLIGONUCLEOTIDES	)	

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment mailed on August 21, 2003 in the above-captioned application, please find attached a Substitute Reply Under 37 C.F.R. § 1.111 to replace the Reply Under 37 C.F.R. § 1.111 filed by Applicants on August 11, 2003. The Substitute Reply is identical to Applicants' original Reply to the Examiner's Office Action mailed on June 3, 2003, except that a complete listing of all claims presented in the subject application is now included. In particular, Applicants' Substitute Reply indicates that claims 1-491 have been cancelled. To facilitate processing and to avoid confusion, kindly use the Fee Transmittal form submitted with Applicants' August 11<sup>th</sup> Reply in connection with the attached Substitute Reply.

Please charge any fees due in connection with this Response to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

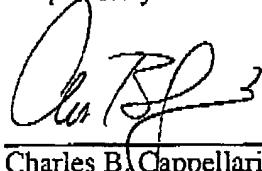
RESPONSE

Serial No. 09/523,237  
Atty. Docket No. GP068-03.CN1

Certificate of Transmission

I hereby certify that this correspondence (and any referred to as attached) is being sent by facsimile to 703-746-5206 on the date indicated below to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Respectfully submitted,



By:

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Date: August 26, 2003

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**SUBSTITUTE REPLY UNDER 37 C.F.R. § 1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Examiner's Office Action mailed on June 3, 2003, kindly enter the following amendments and consider the following remarks in connection with the above-captioned application.